

## REMARKS

In response to the Office Action dated May 30, 2006, Applicant respectfully request reconsideration. Claims 1-12 and 15 are currently pending in this application. Claim 1 has been amended to correct a minor typographical error. To further the prosecution of this application, each of the rejections in the Office Action is discussed below and the application as presented is believed to be in condition for allowance.

The Office Action rejects claims 1-12 and 15 under 35 U.S.C. §102(e) as purportedly being anticipated by Morikawa. Applicant respectfully traverses this rejection.

### Claim 1

Claim 1 is directed to a method for sorting a plurality of items, to each of which a sequence number is assigned, into a predetermined sorted sequence using a plurality of sorting regions, including for each sort, at least two initial sorting regions, and at least two additional sorting regions, at least one of the additional sorting regions functioning as a return region, the items being initially located, in an unsorted order, in the at least two initial sorting regions. The method comprising the acts of: sorting the items in each of the at least two initial sorting regions into an intermediary sorted set by moving at least some of the items in at least one of the initial sorting regions between the at least one initial sorting region and at least two of the additional sorting regions; and sorting the items within each intermediary sorted set by moving at least some of the items to the return region in substantially the predetermined sorted sequence.

Claim 1 patentably distinguishes over Morikawa, as Morikawa fails to disclose or suggest, “sorting the items in each of the at least two initial sorting regions into an intermediary sorted set by moving at least some of the items in at least one of the initial sorting regions between the at least one initial sorting region and at least two of the additional sorting regions.”

The Office Action asserts that the sorting stacking units 210 and 230 of Morikawa are initial sorting regions. *See* Office Action, ¶3, page 2. However, each sorting stacking unit in the system of Morikawa corresponds, or receives mail from, a different mail supplying unit (col. 5, lines 25-27). That is, a sorting stacking unit only sorts the mail supplied to it from its corresponding mail supplying unit. Thus, two mail items in different sorting stacking units are never sorted together

into an intermediary sorted set and never end up in the final tray. Rather, because a sorting stacking units only sorts the mail items provided to it and does not handle mail items provided to a different sorting stacking units, two mail items in different sorting stacking units are sorted into different trays by their respective sorting stacking units.

Thus, as Morikawa does not disclose or suggest “sorting the items in each of the at least two initial sorting regions into an intermediary sorted set by moving at least some of the items in at least one of the initial sorting regions between the at least one initial sorting region and at least two of the additional sorting regions,” as recited in claim 1, claim 1 patentably distinguishes over Morikawa. Accordingly, it is respectfully requested that the rejection of Morikawa under 35 U.S.C. §102(e) be withdrawn.

Claims 2-8 depend from claim 1 and are patentable for at least the same reasons. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

### **Claim 9**

Claim 9 is directed to an apparatus for sorting a plurality of postal bins comprising: a plurality of sorting regions, wherein the plurality of sorting regions comprise for each sorting at least one initial region in which postal bins are initially located in an unsorted order, at least one return region in which postal bins are located after completion of sorting and at least one additional region used in the sorting; a first mechanism for physically moving at least one postal bin between at least two selected sorting regions; a second mechanism for physically moving at least one postal bin between positions within each sorting region; a postal bin location tracking mechanism; and controls operative for controlling the first and second mechanisms to move the postal bins into a predetermined sorted sequence at least partly in response to the tracking mechanism.

Morikawa fails to disclose or suggest “a first mechanism for physically moving at least one postal bin between at least two selected sorting regions.” In the system of Morikawa bins are not moved from the sorting stacking units to other locations in the system. Rather, the bins contain trays which, when filled with sorted mail, are moved to tray storage areas (col. 5, lines 23-37).

Thus, claim 9 patentably distinguishes over Morikawa. Accordingly, it is respectfully requested that the rejection of claim 9 under 35 U.S.C. §102(e) be withdrawn.

Claims 10-12 depend from claim 9 and are patentable for at least the same reasons. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

**Claim 15**

Claim 15 is directed to an apparatus for sorting a plurality of postal bins comprising: a plurality of sorting regions, wherein the plurality of sorting regions comprise for each sorting at least one initial region in which postal bins are initially located in an unsorted order, at least one return region in which postal bins are located after completion of sorting and at least one additional region used in the sorting; means for physically moving at least one postal bin between at least two selected sorting regions of the plurality of sorting regions; means for physically moving at least one postal bin between positions within each of the plurality of sorting regions; means for tracking the location of postal bins; and means operative at least partly in response the tracking mechanism for controlling the first and second mechanisms to reposition postal bins into a predetermined sorted sequence.

As should be clear from the discussion above, Morikawa does not disclose or suggest, “means for physically moving at least one postal bin between at least two selected sorting regions of the plurality of sorting regions,” as recited in claim 15.

Thus, claim 15 patentably distinguishes over Morikawa. Accordingly, it is respectfully requested that the rejection of claim 15 under 35 U.S.C. §102(e) be withdrawn.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: August 30, 2006

Respectfully submitted,

By   
Scott J. Gerwin

Registration No.: 57,866  
WOLF, GREENFIELD & SACKS, P.C.  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
(617) 646-8000